

Notice of Allowability

Application No.

09/838,578

Examiner

Ted T. Vo

Applicant(s)

APTUS ET AL.

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/8/05.
2. ☒ The allowed claim(s) is/are 1,3-5,7,8 and 12-21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Ted T. Vo
TED T. VO
Primary Examiner

EXAMINER'S AMENDMENT

1. This communication is in response to the amendment filed on 08/08/05.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was given in a telephone interview with Howard MacCord, Jr., Reg. No. 28,639 on 10/13/05.
3. Examiner amendment is given to amend Claim 17 filed in the amendment on 08/08/05 for resolving 112 second paragraph issue remaining in the Claims in order to place the application in the condition for allowance.

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4. **In the Claims:** Please amended Claim 17 as follows:

17. (Currently Amended) The ~~method~~ data processing system of claim 4, wherein the documentation is hypertext markup language (HTML) documentation displayable by a web browser.

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5. The amendment and arguments filed on 08/08/05 have been considered.

The Drawings filed on 04/20/01 are accepted by Examiner.

Prior art of record, Suzuki et al., "Managing the software design documents with XML", 1998, remains the closest art in searching.

Reasons for Allowance

6. Claims 1, 3-5, 7-8, 12-21 are allowed.

Prior of record, Suzuki et al., discloses generating the documentation for the software designs with XML.

However, with regards to the amending independent Claims 1, 4, 5, 8, and 21, Suzuki fails to teach to generate a transient meta model, determine whether a file is new, and if the file is new, add symbols from the file to the transient meta model, determine whether the file is updated, add the symbols, determine whether the file is deleted, delete the symbols, of the file from the transient meta model (As Applicants pointing out in Remarks, p. 13).

Therefore, the following is an examiner's statement of reasons for allowance: The cited prior arts taken alone or in combination fail to teach claimed invention comprising at least features,

"parsing the source code with the symbols to the transient meta model; determining whether the file is updated, and if the file is updated, updating the symbols from the file to the transient data mode by obtaining a template for the language, and parsing the source code with the updated symbols to the transient meta model; determining whether the file is deleted, and if the file is deleted, deleting symbols of the file from the file to the transient data mode by obtaining a template for the language",

as recited in independent Claim 1, and in such manners in independent Claims 4, 5, 8 and 21.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ted T. Vo whose telephone number is (571) 272-3706. The examiner can normally be reached on 8:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y. Zhen can be reached on (571) 272-3708.

The facsimile number for the organization where this application or proceeding is assigned is the Central Facsimile number **571-273-8300**.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ted T. Vo
Primary Examiner
Art Unit 2191
October 14, 2005